



Proposed fax amendment for:
10/647,737 (05542/073001)

Attachment to interview summary
(Do NOT enter claims)

Patent Technology Centers

Facsimile Transmission

To:	Name:	Jeffrey S. Bergman (Reg. No. 45,925)
	Company:	OSHA-LIANG LLP
	Fax Number:	713-228-8778
	Voice Phone:	713-228-8600
From:	Name:	Michael J. Feely
	Official Fax Number:	(571) 273-8300
	Official After Final Fax Number:	(571) 273-8300
	Voice Phone:	571-272-1086

37 C.F.R. 1.6 sets forth the types of correspondence that can be communicated to the Patent and Trademark Office via facsimile transmissions. Applicants are advised to use the certificate of facsimile transmission procedures when submitting a reply to a non-final or final Office action by facsimile (37 CFR 1.8(a)).

Fax Notes:

Mr. Bergman,

The following is a proposed amendment to put 10/647,737 in condition for allowance. Attached are: a marked-up version of the claims, a clean version of the claims, and comments discussing the rationale for the proposed changes. These are all minor informalities and can be entered in an examiner's amendment.

Sincerely,
Michael J Feely (Primary Examiner; AU 1761)

Date and time of transmission: Monday, November 01, 2010 11:01:36 AM
Number of pages including this cover sheet: 06

Marked-up Version

1-20. (Cancelled)

21. (Proposed Amendment) A drilling fluid comprising:

- an oleaginous fluid, wherein the oleaginous fluid is the continuous phase of the drilling fluid and wherein the oleaginous fluid occupies ~~comprises~~ from about 30% to about 95% by volume of the drilling fluid and the oleaginous fluid is selected from the ~~of a material selected from a~~ group consisting of diesel oil, mineral oil, synthetic oil, esters, ethers, acetals, di-alkylcarbonates, olefins, and combinations thereof;
- a non-oleaginous fluid, wherein the non-oleaginous fluid is the discontinuous phase of the drilling fluid, wherein the non-oleaginous fluid occupies ~~comprises~~ from about 5% to about 70% by volume of the said drilling fluid and the non-oleaginous fluid is selected from the group consisting of fresh water, sea water, a brine containing organic or inorganic dissolved salts, a liquid containing water-miscible organic compounds, and combinations thereof;
- an organophillic clay, wherein the organophillic clay is present in a concentration of about 0.1% to about 6% by weight;
- a primary emulsifier, wherein the primary emulsifier is an amidoamine and is present in a concentration of 7 to 8 pounds per barrel;
- a secondary emulsifier, wherein the secondary emulsifier is an oleic acid based wetting agent and is present in a concentration of 1 to 2 pounds per barrel;
- a weighting or bridging agent, wherein the weighting ~~agent~~ or bridging agent is

selected from the group consisting of galena, hematite, magnetite, iron oxides, illmenite, barite, siderite, celestite, dolomite, calcite and combinations thereof; and

a rheology modifier, wherein the rheology modifier is a mixture of C₁₂ to C₂₂ poly-carboxylic fatty acids, including at least a dimer poly-carboxylic C₁₂ to C₂₂ fatty acid, and a trimer poly-carboxylic C₁₂ to C₂₂ fatty acid, wherein the mixture of poly-carboxylic fatty acids is added in sufficient concentration so that the trimeric poly-carboxylic fatty acid concentration in the drilling fluid is greater than 0.1 pounds per barrel and is up to 5.0 pounds per barrel.

22-24. (Cancelled)

Clean Version

1-20. (Cancelled)

21. (Proposed Amendment) A drilling fluid comprising:

an oleaginous fluid, wherein the oleaginous fluid is the continuous phase of the drilling fluid and wherein the oleaginous fluid occupies from about 30% to about 95% by volume of the drilling fluid and the oleaginous fluid is selected from the group consisting of diesel oil, mineral oil, synthetic oil, esters, ethers, acetals, dialkylcarbonates, olefins, and combinations thereof;

a non-oleaginous fluid, wherein the non-oleaginous fluid is the discontinuous phase of the drilling fluid, wherein the non-oleaginous fluid occupies from about 5% to about 70% by volume of the drilling fluid and the non-oleaginous fluid is selected from the group consisting of fresh water, sea water, a brine containing organic or inorganic dissolved salts, a liquid containing water-miscible organic compounds, and combinations thereof;

an organophillic clay, wherein the organophillic clay is present in a concentration of about 0.1% to about 6% by weight;

a primary emulsifier, wherein the primary emulsifier is an amidoamine and is present in a concentration of 7 to 8 pounds per barrel;

a secondary emulsifier, wherein the secondary emulsifier is an oleic acid based wetting agent and is present in a concentration of 1 to 2 pounds per barrel;

a weighting or bridging agent, wherein the weighting or bridging agent is

Proposed Amendment for: 10/647,737
(Attorney Docket No. 05542/073001)

selected from the group consisting of galena, hematite, magnetite, iron oxides,
illmenite, barite, siderite, celestite, dolomite, calcite and combinations thereof;
and

a rheology modifier, wherein the rheology modifier is a mixture of C₁₂ to C₂₂ poly-carboxylic fatty acids, including at least a dimer poly-carboxylic C₁₂ to C₂₂ fatty acid, and a trimer poly-carboxylic C₁₂ to C₂₂ fatty acid, wherein the mixture of poly-carboxylic fatty acids is added in sufficient concentration so that the trimeric poly-carboxylic fatty acid concentration in the drilling fluid is greater than 0.1 pounds per barrel and is up to 5.0 pounds per barrel.

22-24. (Cancelled)

Comments:

- The oleaginous fluid features the following volume limitation: wherein the oleaginous fluid *comprises* from about 30% to about 95% by volume of *the drilling fluid*. Clearly, the oleaginous fluid is part of the drilling and not vice versa. Accordingly, this language has been changed to: wherein the oleaginous fluid occupies from about 30% to about 95% by volume of the drilling fluid.
- The oleaginous fluid limitations have also been modified to include proper Markush language.
- The non-oleaginous fluid features the following volume limitation: wherein the non-oleaginous fluid *comprises* from about 5% to about 70% by volume of *the drilling fluid*. Clearly, the non-oleaginous fluid is part of the drilling and not vice versa. Accordingly, this language has been changed to: wherein the non-oleaginous fluid occupies from about 5% to about 70% by volume of the drilling fluid.
- The weight agent has been changed to *a weighting or bridging agent* to provide proper antecedent basis for “bridging agent”.
- Claims 1-20 and 22-~~24~~ have been cancelled.